

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

LAWRENCE A. LOCKE, individually and on behalf of all others similarly situated,

Plaintiff,

v.

Case No. 5:10-cv-01277-F

QUIBIDS, LLC,

Defendant.

**MOTION FOR ENLARGEMENT OF TIME TO ANSWER OR OTHERWISE
RESPOND TO FIRST AMENDED COMPLAINT**

Defendant QuiBids, LLC (“QuiBids”) respectfully moves the Court for an enlargement of time to answer or otherwise respond to the First Amended Complaint (“FAC”) as follows:

1. The original Complaint in this matter was filed on November 30, 2010.

Because the FAC was filed prior to the response date for the original Complaint, QuiBids did not answer or otherwise respond to the original Complaint.

2. The FAC was filed on December 17, 2010, and served via certified mail to QuiBids’ office in Oklahoma City, pursuant to FED. R. CIV. P 5(b)(2)(C). No return of service has been filed with the Court, but QuiBids believes that the FAC was received and signed for in its office on Monday, December 20, 2010.

3. Based on the date and manner of service, the response to the FAC currently is due on January 3, 2011. FED. R. CIV. P. 6(d); 15.

4. Counsel for QuiBids learned of the filing of the FAC on December 22, 2010, by means of an email exchange with Plaintiff's counsel.

5. Given the nature of the allegations contained in the FAC (which, together with exhibits, totals 86 pages), QuiBids needs additional time to respond. For example, QuiBids will want to assess Plaintiff's allegations regarding alleged non-disclosures and to analyze law from Oklahoma and other states with comparable consumer protection laws, because QuiBids will want to consider the appropriateness of filing a motion to dismiss. In addition, counsel for QuiBids has significant other obligations throughout January, including out-of-state depositions.

6. Thus, QuiBids respectfully requests that the Court grant it an extension to and including February 4, 2011, to answer or otherwise respond to the FAC.

7. QuiBids previously filed a Motion for Enlargement of Time to respond to the original complaint [Docket No. 14] but that Motion was moot at the time filed, as QuiBids was not yet aware that the FAC had been filed. Thus, QuiBids withdrew the motion before the Court ruled on it.

8. Counsel for QuiBids has communicated with Plaintiff's counsel about the relief requested herein. Plaintiff's counsel stated that he would agree to an extension until January 18, 2011.

9. Allowing QuiBids to file its response on or before February 4, 2011, will not unfairly prejudice any party to this litigation nor cause the extension of any date scheduled in this matter, as there currently is no scheduling order governing this litigation.

WHEREFORE, Defendant QuiBids, LLC respectfully requests that it be granted an extension until February 4, 2011, to file its response to the First Amended Complaint.

/s/ Tamara Schiffner Pullin
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ATTORNEYS FOR QUIBIDS, LLC

CERTIFICATE OF SERVICE

I hereby certify that on December 29th, 2010, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following registrants:

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